



# PLANNING COMMISSION AGENDA

LEE BRAND, Chair

Commission Members  
CHARLES VANG, Vice Chair  
LORI CHERRY  
NAT DIBUDUO  
HAL KISSLER  
ROJELIO VASQUEZ

Planning and Development  
Director/Secretary  
NICK P. YOVINO  
  
Deputy City Attorney  
KATHRYN C. PHELAN

*The Planning Commission welcomes you to this meeting.*

December 1, 2004

Wednesday

6:00 p.m. to 9:30 p.m.

COUNCIL CHAMBER

2600 FRESNO STREET

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call Planning and Development staff at 621-8277.

Metered parking is in effect throughout the downtown area. The general public wishing to attend a Planning Commission meeting at City Hall may park after 5 p.m. in the parking lot at the northeast corner of Tulare and P Streets or in the parking lot east of City Hall across the railroad tracks. Both parking lots have entrances from Tulare Street, and parking restrictions have been relaxed in these lots for those in attendance at the Planning Commission meeting.

## I. ROLL CALL

## II. PLEDGE OF ALLEGIANCE

## III. PROCEDURES

In accordance with Section 13 of Article 2 of the Planning Commission Rules and Regulations governing length of public debate, all testimony given will be limited to five minutes per person. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with a soft bell ring when one minute is remaining. The speaker should be completing the testimony by the time the red light comes on with a final bell indicating that time has expired.

If you challenge these land use matters in court, you may be limited to raising only those issues you or someone else raised in oral or written testimony at or before the close of the hearing.

For each matter considered by the Commission, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from supporters of the project will then be taken, followed by testimony from those in opposition. The applicant will have the right to a final rebuttal presentation prior to closing the public hearing.

#### **IV. AGENDA APPROVAL**

- A. Consent Calendar Requests
- B. Continuance Requests
- C. Other Agenda Changes

#### **V. CONSENT CALENDAR**

All Consent Calendar items are considered by the Planning Commission to be routine and will be enacted in one motion. There will be no separate discussion of these items unless requested, in which event the items will be removed from the Consent Calendar and considered prior to approval of the Consent Calendar. If any member of the public wishes to have a specific item removed for discussion, be present when the meeting is called to order and the Chair announces the Consent Calendar. Commission approval of Consent Calendar items for which there is no discussion shall constitute adoption of the staff recommendation.

##### **A. Minutes**

##### **B. Communications**

1. Consideration of further continuation of the court-ordered rescission of Conditional Use Permit Application No. C-00-181 to revoke a special permit and its related finding of Mitigated Negative Declaration, which were previously approved by the Planning Commission on October 17, 2001, to allow West Coast Waste, Inc., (Dennis Balakian) to operate a wood and green waste recycling operation. (***Continued from meetings of October 6 and 20, 2004, November 3 and 17, 2004.***)
2. Vacate approval of Conditional Use Permit Application No. C-03-166 pursuant to order of the Court relating to the special permit filed by the City of Fresno Parks, Recreation, and Community Services Department proposing to construct a youth development center located within the Dickey Playground at the northwest corner of the intersection of North Blackstone Avenue and East Divisadero Street.
3. Consider approval of Site Plan Review Application No. S-04-196 in accordance with Highway City Specific Plan Policy No. 1-5-2. Site Plan Review Application No. S-04-196 is a request to construct two duplex residential structures on a 0.42 acre site. The subject property is currently zoned R-2 (*Low Density Multiple Family Residential*), and located on the south side of West Fairmont Avenue between North Polk and North Barcus Avenues.

**C. Entitlements**

**VI. REPORTS BY COMMISSIONERS**

**VII. CONTINUED MATTERS**

**VIII. NEW MATTERS**

- A. Consideration of Rezone Application No. R-04-60 and environmental findings, filed by Douglas Dunbar and Wallace Barthuli, for 9.85 acres of property located on the northeast corner of East North and South Orange Avenues.
1. Environmental Assessment No. R-04-60, TPM-2003-33, determination of Initial Study to file a Finding of Conformance with MEIR No. 10130 for the 2025 Fresno General Plan.
  2. Rezone Application No. R-04-60, proposes to rezone the subject property from the M-1 (*Light Industrial*) zone district to the M-3 (*Heavy Industrial*) zone district.
    - Roosevelt Community Plan Area
    - Council District 3 (Councilmember Sterling)
    - Staff Member: Paul Bernal
    - Staff Recommendation: Recommend Approval
    - Will be considered by City Council
- B. Consideration of Rezone Application No. R-04-72, Conditional Use Permit Application No. C-04-125, Vesting Tentative Tract Map No. 5394 and environmental findings, filed by David McMurry for 1.6 acres of property located on the southeast corner of West Thomas and North Weber Avenues.
1. Environmental Assessment No. R-04-72, C-04-125, T-5394, determination of Initial Study to file a Finding of Conformance with MEIR No. 10130 for the 2025 Fresno General Plan.
  2. Rezone Application No. R-04-72, proposes to rezone the subject site from the R-1 (*Single Family Residential*) zone district to the R-2 (*Low Density Multiple Family Residential*) zone district for the 1.6-acre site.
  3. Conditional Use Permit Application No. C-04-125, proposes to allow a 9-lot planned unit development with private street access.
  4. Vesting Tentative Tract Map No. 5394, proposes to subdivide the site into 9 single family residential lots and 1 outlot.
    - Fresno High Roeding Community Plan
    - Council District 3 (Councilmember Sterling)
    - Staff Member: Shelby Chamberlain
    - Staff Recommendation: Recommend Approval of rezone application; Approve tentative tract map and conditional use permit
    - Will be considered by City Council (Rezone Application only)

**IX. REPORT FROM SECRETARY**

**X. UNSCHEDULED ORAL COMMUNICATIONS**

You may address the Planning Commission at the conclusion of the Commission meeting regarding matters of public interest that are not listed on the agenda and that are within the Commission's jurisdiction. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on the Planning Commission agenda should contact the Planning and Development Department, (559) 621-8277, at least 10 days before the desired appearance date.

**XI. ADJOURNMENT**